

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**NEW HOPE HOSPITALITY, LLC,**

**Plaintiff,**

**v.**

**EH NATIONAL BANK,**

**Defendant.**

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**CASE NO. \_\_\_\_\_**

**NOTICE OF REMOVAL**

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS,  
DALLAS DIVISION:

COMES NOW the Defendant, **EH NATIONAL BANK** ("Petitioner"), who files this its  
Notice and Petition for Removal and would respectfully show:

1. Petitioner files this Notice of Removal on the grounds that a lawsuit, previously filed in Texas state court, styled *New Hope Hospitality, LLC v. EH National Bank*, Case No. 91491, originally filed on May 5, 2015 in the 40<sup>th</sup> Judicial District Court of Ellis County, Texas (the "State Court Lawsuit"), should be removed to the courts of this district based upon diversity jurisdiction, in accordance with 28 U.S.C. §§1332(a)(1), 1441(b), and according to Local Rule 81.1 of the United States District Court for the Northern District of Texas.

2. As admitted by Plaintiff in its Original Petition initiating the State Court Lawsuit, the Plaintiff is a Texas limited liability corporation located in Corsicana, Texas, and Petitioner is a national bank with its principal place of business California. There are no other parties to this case.

3. Further, as admitted by Plaintiff in its Original Petition initiating the State Court Lawsuit, Plaintiff seeks recovery of \$407,868.56, exclusive of pre-judgment interest, attorneys' fees and other relief, including declaratory relief, from or against Petitioner.

4. Petitioner was served with citation, and a copy of the Original Petition initiating the State Court Lawsuit, on or about June 19, 2015.

5. The federal courts have original jurisdiction over the subject-matter of this case, inasmuch as "the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between . . . citizens of different States." 28 U.S.C. §§1332(a)(1) and 1446(c)(2).

6. This Notice of Removal is being timely filed under 28 U.S.C. §1446(b) inasmuch as it is being filed "within thirty (30) days from the receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief" in the State Court Lawsuit. 28 U.S.C. §1446(b).

**WHEREFORE**, Petitioner, **EH NATIONAL BANK**, respectfully requests that this action be removed to this Court for further proceedings.

Respectfully submitted,  
**STROMBERG STOCK, PLLC**

By: /s/ Mark Stromberg

MARK STROMBERG  
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**ATTORNEYS FOR PETITIONER**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing Notice of Removal has been mailed, by certified mail, return receipt requested, to Joyce W. Lindauer, 12720 Hillcrest, Suite 625, Dallas, Texas 75230; and mailed via regular mail to the 40<sup>th</sup> Judicial District Court of Ellis County, Texas, for filing in that court, on this the 10<sup>th</sup> day of July, 2015.

/s/ Mark Stromberg  
MARK STROMBERG